

Attorney Docket No. 81448

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, **METHOD AND APPARATUS FOR PREPARING BONED PORK PRODUCTS** the specification of which: (check one)

☐ is attached hereto.

☒ was filed on December 6, 1999;  
and assigned Serial No.: 09/454,761.

☐ was filed on \_\_\_\_\_;  
and assigned Serial No.: \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

\_\_\_\_\_  
(number)

\_\_\_\_\_  
(country)

\_\_\_\_\_  
(day/month/year filed)

☐ yes ☐ no

\_\_\_\_\_  
(number)

\_\_\_\_\_  
(country)

\_\_\_\_\_  
(day/month/year filed)

☐ yes ☐ no

I hereby claim the benefit under Title 35, United States Code, 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(application number)</u>	<u>(filing date)</u>	<u>(Status - patented, pending, abandoned)</u>
<u>(application number)</u>	<u>(filing date)</u>	<u>(Status - patented, pending, abandoned)</u>
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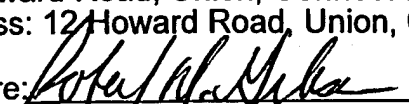
I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

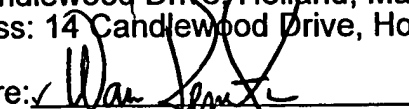
Irving M. Kriegsman, Esq., Reg. No. 22,733; Edward M. Kriegsman, Esq., Reg. No. 33,529; and Daniel S. Kriegsman, Esq., Reg. No. 40,057.

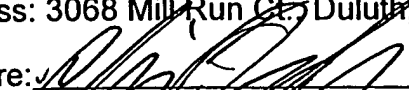
Please send all correspondence to:

KRIEGSMAN & KRIEGSMAN  
883 Edgell Road, Suite 100  
Framingham, MA 01701  
(508) 877-8588

I hereby declare that all statements made herein of my own knowledge are true and that any statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Inventor (given name, family name): Robert D. Gibson  
Residence: 12 Howard Road, Union, Connecticut 06076  
Post Office Address: 12 Howard Road, Union, Connecticut 06076  
Citizenship: USA  
Inventor's signature:  Date: 9-2-00

Name of Inventor (given name, family name): Warren D. Kenniston  
Residence: 14 Candlewood Drive, Holland, Massachusetts 01550  
Post Office Address: 14 Candlewood Drive, Holland, Massachusetts 01550  
Citizenship: USA  
Inventor's signature:  Date: 2-1-00

Name of Inventor (given name, family name): Christopher Overbaugh  
Residence: 3068 Mill Run Ct., Duluth, Georgia 30136  
Post Office Address: 3068 Mill Run Ct., Duluth, Georgia ~~30136~~ 30097  
Citizenship: USA  
Inventor's signature:  Date: 2/1/00

VERIFIED STATEMENT CLAIMING SMALL ENTITY  
STATUS - SMALL BUSINESS CONCERN



Applicant or Patentee: ROBERT D. GIBSON ET AL.

Attorney Docket No: 81448

Serial or Patent No: 09/454,761

Filed or Issued: 12-6-99

For: METHOD AND APPARATUS FOR PREPARING BONED PORK PRODUCTS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (F) and 1.27 (C)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf  
of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: GEMINI FOOD INDUSTRIES, INC.

ADDRESS OF SMALL BUSINESS CONCERN: 258 MAIN STREET, STURBRIDGE, MA 01566

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate verified statements averring to their status as small entities and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Each person, concern or organization having rights to the invention is listed below:

☒ no such person, concern or organization exists.

☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business ☐ Nonprofit Organization

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

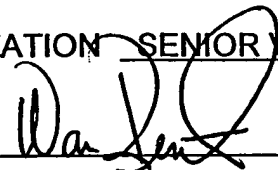
☐ Individual ☐ Small Business ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement of small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING WARREN D. KENNISTON

TITLE IN ORGANIZATION SENIOR VICE-PRESIDENT

SIGNATURE ✓ 

DATE ✓ 2-1-00